



## **Anti-Bribery Policy**

**Date:** July 2020

**Review Due:** July 2023

<b>Policy Information</b>	
<b>Policy Title</b>	<b>Anti-Bribery</b>
<b>Policy Number:</b>	POL 020
<b>Version</b>	3.0
<b>Policy Sponsor</b>	Chief Executive
<b>Policy Owner</b>	Director of Business Support
<b>Committee and date recommended for approval</b>	Audit and Risk Assurance Committee 17 June 2020
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<b>Date Set For Review</b>	July 2023
<b>Related Policies</b>	Anti-Fraud Policy Gifts and Hospitality Policy Whistleblowing Policy Risk Management Strategy and Policy Conflict of Interests Policy Code of Conduct for Staff Code of Conduct for Board Members

## **1. Introduction**

- 1.1 The UK Bribery Act came into effect on 1 July 2011. The act modernises the law on bribery and seeks to provide a revised framework of offences to combat bribery in the public and private sectors.
- 1.2 The Act essentially creates two general offences of: bribing another person (active bribery) (Section 1 of the Act); and being bribed (passive bribery) (Section 2 of the Act).
- 1.3 In practice this means that from 1 July 2011 any individual or employee who bribes another person or is bribed will be prosecuted under the Bribery Act 2010. Any offences committed before this date will continue to be prosecuted under the earlier legislation.
- 1.4 An additional offence is also included under section 7 of the Act. It is an offence to fail to prevent a person associated with an organisation bribing another person on the organisation's behalf.

## **2. Purpose**

- 2.1 The overall purpose of the Anti-Bribery Policy is to confirm that Libraries NI has a zero tolerance towards bribery and to detail responsibilities regarding its prevention. This Policy covers arrangements to prevent attempts to bribe officers within Libraries NI as well as any attempt by Libraries NI officers to bribe external stakeholders.

## **3. Policy**

- 3.1 Libraries NI requires all staff at all times to act honestly and with integrity, and to safeguard the resources for which they are responsible. Libraries NI will not accept any level of fraud or corruption; consequently, any case of suspected bribery will be thoroughly investigated and dealt with appropriately. Libraries NI is committed to ensuring that opportunities for bribery and corruption are reduced to the lowest possible level. Staff at all levels are encouraged to actively participate in protecting public money and property.
- 3.2 DAO (DFP) 09/11 issued in December 2011 offers best practice guidance on compliance with the Bribery Act and offers encouragement to all public sector organisations to consider their own arrangements for preventing bribery (both active and passive bribery) from occurring.
- 3.3 This assessment may form part of an organisation's wider ongoing fraud risk assessment process. Such an assessment should consider not only the risk of employees (or agents) offering bribes on behalf of an organisation (which in many organisations in reality may be a much lower risk in terms of likelihood) but should also consider the organisation's arrangements for ensuring that employees and others are not at risk of being bribed which is in effect the more likelier risk of occurring within the public sector environment.

- 3.4 On an annual basis the Libraries NI Risk Management Group considers the risk of fraud during completion of the annual fraud risk assessment. During that assessment the risk of Bribery within Libraries NI is considered. This risk has always been assessed as low. This is partly to do with anti-fraud controls and policies already in place within Libraries NI. Section 5 lists the relevant policies used in the management of the risk of Bribery. Some details are provided below.

### **Anti-Bribery Controls and Related Policies**

- 3.5 Libraries NI has developed and established an Anti-Fraud Policy and a Fraud Response Plan. These are kept under regular review. Staff have been made aware of the Anti-Fraud Policy and to the zero tolerance approach to any occurrences of fraud. The anti-fraud policy contains specific guidance on the Bribery Act.
- 3.6 Whistleblowing Policy – Libraries NI has developed a whistleblowing policy. Staff have been made aware of the policy and have been encouraged to use it if they become aware of fraud or corruption within the organisation.
- 3.7 Libraries NI has developed and implemented a policy on Offers and Acceptance of Gifts and Hospitality. Staff have been made aware that all offers of gifts and hospitality made to them (whether or not accepted) that are not of a trivial nature (defined in the guidance) must be approved in advance by a senior officer. Registers of Gifts and Hospitality offered to Board Members and senior staff are maintained on the Libraries NI publication scheme.
- 3.8 Libraries NI has developed and implemented a policy on the Provision of Gifts and Hospitality. This policy provides guidance on the circumstances where it is appropriate to provide a gift or hospitality. It also details who is required to authorise any gift or hospitality provided and how this is recorded.
- 3.9 Libraries NI has developed and implemented a policy (with associated guidance) on Conflict of Interests. Board Members, Senior Managers and staff involved in procurement and recruitment are required to complete declarations of interests where they are required to record potential conflicts of interest. Registers are maintained on the Libraries NI Publication Scheme for Senior Management and Board Members. Guidance on monitoring registers of gifts and hospitality is contained within the relevant policy. Specific declarations of potential conflicts of interest are required at the commencement of each meeting of the Libraries NI Board and its committees. Declarations are also required by all members of evaluation panels during any procurement and all members of recruitment panels.

## **4. Authority:**

**Policy Sponsor:** Chief Executive

**Policy Owner:** Director of Business Support

**Policy Contact:** Head of Internal Audit

## **5. Related Documents**

### **Policies**

- Anti-Fraud Policy
- Gifts and Hospitality Policy
- Whistleblowing Policy
- Risk Management Strategy and Policy
- Conflict of Interests Policy
- Code of Conduct for Staff
- Code of Conduct for Board Members

### **Procedures**

- Fraud Response Plan
- Whistleblowing – Raising a Concern

### **Related Guidance**

DAO (DFP) 09/11: Bribery Act 2010

The Bribery Act 2010: Guidance – Ministry of Justice

DAO (DoF) 04/17 – Managing the Risk of Bribery and Corruption